

UNITED STATE DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

R&R ENTERPRISES,)	
)	
Plaintiff,)	
)	No. 3:12-CV-573
)	(SHIRLEY)
V.)	
)	
ANSWER FINANCIAL,)	
)	
Defendant.)	

ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636(c), Rule 73(b) of the Federal Rules of Civil Procedure, and the consent of the parties, for all further proceedings, including entry of judgment [Doc. 6].

Consistent with the Memorandum Opinion entered contemporaneously herewith, it is

ORDERED:

1. R&R Enterprises' request for declaratory relief is **GRANTED**. The Court **FINDS** and **DECLARES**, pursuant to 28 U.S.C. § 2201 that: (1) the expiration date of the Lease between Answer Financial and R&R Enterprises is April 30, 2013; (2) Section 20 – also known as the holding over provision – of the Lease does not create a right to remain on the premises for a six-month tenancy; and (3) in the case of Answer Financial holding over, Section 20 of the Lease creates a month-to-month tenancy.
2. R&R Enterprises' request for a speedy hearing is **DISMISSED AS MOOT**.
3. R&R Enterprises' request for attorneys' fees is **DENIED** and **DISMISSED**.

4. R&R Enterprises **SHALL** be awarded appropriate costs under Rule 54 of the Federal Rules of Civil Procedure and Local Rule 54.1 of the Local Rules of the Eastern District of Tennessee as determined by the Clerk of Court upon the filing of a bill of costs.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge

ENTERED AS JUDGMENT

s/ Debra C. Poplin
CLERK OF COURT